

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

KIMBERLEE WILLIAMS, *et al.*

Plaintiffs,

vs.

BASF CATALYSTS LLC, *et al.*

Defendants.

No. 2:11-cv-01754 (ES) (JAD)

CIVIL ACTION

**MOTION FOR PRELIMINARY APPROVAL OF THE CLASS
ACTION SETTLEMENT AGREEMENT AND CONDITIONAL
CLASS CERTIFICATION**

Plaintiffs, through their counsel, Cohen, Placitella & Roth, P.C., move pursuant to Federal Rules of Civil Procedure 23(a), 23(b)(3), and 23(e), for the entry of the Proposed Preliminary Approval Order. The proposed order seeks: (1) preliminary approval of the Settlement Agreement; (2) conditional certification of a Settlement Class; (3) appointment of Kimberlee Williams, Gayle Williams, Marilyn L. Holley, Sheila Ware, Donnette Wengerd, and Rosanne Chernick as representatives for the Class; (4) appointment of Christopher M. Placitella as Lead Class Counsel and Stewart L. Cohen, Harry M. Roth, Michael Coren, Robert L. Pratter, Eric S. Pasternack, Jared M. Placitella and the law firm of Cohen Placitella & Roth, P.C., as Class Counsel; (5) approval of the proposed Plan of Distribution;

(6) approval of the proposed Notice Plan; (7) appointment of the Hon. Marina Corodemus, J.S.C. (Retired) to the position of Settlement Trustee and Special Master under Federal Rule of Civil Procedure 53; (8) appointment of Verus LLC as the Settlement Administrator; (9) appointment of Edgar C. Gentle, III, Esq. as the Lien Administrator; (10) appointment of BrownGreer PLC as the Settlement Notice Agent; (11) setting certain deadlines regarding notice to the putative Class and to implement the proposed Plan of Distribution; (12) scheduling of a Fairness Hearing; (13) establishing the Cost Fund and the Settlement Fund; and (14) the stay of the *Williams* Action except as may be necessary to implement the Settlement and Plan of Distribution or to comply with the Preliminary Approval Order, as well as any other matter by any putative Class Member or anyone who purports to act on their behalf unless and until a Class Member's Opt-Out becomes effective on the date this Court grants Final Approval of the Settlement Agreement, approval of the Settlement Agreement is denied, or the Settlement Agreement is otherwise terminated.

1. The terms of the Settlement are set forth in the Settlement Agreement dated March 13, 2020.

2. The relief sought in this Motion is supported by:

- a. Memorandum of Law in Support of Preliminary Approval and Conditional Class Certification; and

b. Certification of Christopher M. Placitella, Esq., including the exhibits attached thereto.

WHEREFORE, Plaintiffs request that the Court enter the proposed Preliminary Approval Order.

Respectfully Submitted,

COHEN, PLACITELLA & ROTH, P.C.

/s/ Christopher M. Placitella

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Dated: July 16, 2020